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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: : Examiner:  
Tzy-Cherng Jan : Catherine A. Simone  
Serial No. 09/902,317 : Group Art Unit 1772  
Filing Date: 07/10/2001 : Attorney Docket No.:  
For: Light Weight Board of : IPC-110A  
Mechanical Strength and  
Process for Production Thereof

RECEIVED

DEC 20 2002

OFFICE OF PETITIONS

Honorable Director of Patents and Trademarks  
Washington, DC 20231

PETITION TO REVIVE BASED ON UNAVOIDABLE ABANDONMENT

Applicant hereby petitions for the revival of the present application and withdrawal of abandonment on the basis that the abandonment was unavoidable. In support thereof, attached hereto are the following:

1. Certification of Kenneth P. Glynn in support of unavoidable abandonment; and,
2. Reinstatement fee of \$ 55.00.

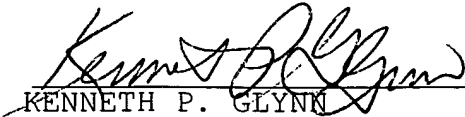
It is believed that the above attachments and enclosures adequately support a favorable resolution of applicant's Petition to Revival and an early and favorable response is

12/20/2002 CV0111 00000001 09902317 55.00 OP  
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earnestly solicited.

Respectfully submitted,

Dated: December 17, 2002


  
KENNETH P. GLYNN  
Attorney for Applicant  
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Flemington, NJ 08822  
(908) 788-0077 Tele  
(908) 788-3999 Fax

KPG:cs  
cc: Inteplast Corporation  
EM RRR No. EU667161451US



CERTIFICATION OF MAILING

The undersigned hereby certifies that this document was delivered to the United States Post Office in Flemington, New Jersey 08822 between 9:00 a.m. and 5:00 p.m. on Tuesday, December 17, 2002. The undersigned further declares that this Certification is made with the knowledge that willful false statements are punishable by fine or imprisonment, or both, under applicable sections of United States law and that willful false statements made before the United States Patent and Trademark Office may jeopardize the validity of the application or issuing patent related thereto.

  
Carissa Schwartz

KPG:cs

EM RRR No. EU667161451US

(Docket No. IPC-110A)

(Serial No. 09/902,317)

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**OFFICE OF PETITIONS**DECLARATION OF KENNETH P. GLYNN

I, Kenneth P. Glynn, declare as follows:

1. I am a registered patent attorney, Registration No. 26,893.
2. I am a principal in the firm of Glynn & Associates, P.C., 24 Mine Street, Flemington, New Jersey 08822.
3. I am responsible for the prosecution of the above-identified United States Patent Application.
4. On March 29, 2002, Examiner Catherine Simone telephoned me to advise me of a Restriction Requirement in the above identified Patent Application. The Examiner required an election between Group 1, directed to product claims and Group 2 directed to process claims. I elected the product

claims (Group 1), without traverse.

5. I expected an Office Action, but never received one. On October 31, 2002, I received a telephone call from Examiner Catherine Simone. She advised me that my office had failed to respond to an Office Action. I advised her that we had not received an Office Action and that the Patent Office mailing system may have failed. She advised me that she would look into the situation and send me a copy of the Office Action. No Office Action was ever received.

6. During Thanksgiving week, November 2002, Examiner Simone called the undersigned and asked whether or not a response had been filed in this case. I told her that no response had been made. After I returned from my Thanksgiving holiday, I pulled the file and reconfirmed that no Office Action was received and, hence, no response was filed.

7. The Examiner had abandoned the case on November 27, 2002, after she spoke with me but before I had the opportunity to call her and once again ask her for a copy of the Office Action (April 9, 2002) that I never received. To this date I have not received any Office Actions and did not want to wait any longer before filing this Petition.

8. It was the Patent Office error in failing to send the undersigned an Office Action that ultimately led to this

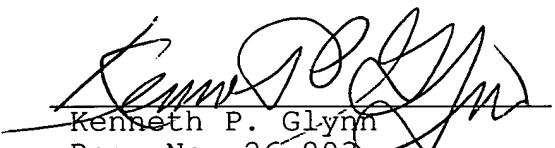
unavoidable abandonment. Thus, the abandonment was not caused by this office and was unavoidable.

9. Because the examiner has not provided me with a copy of the Office Action and has already abandoned the cause, the undersigned is unable to append hereto a proper response to the unseen Office Action.

10. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Dated: December 17, 2002



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